

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 12, 2005

DIVISION TWO

[illegible]

The Court:

The judgment is affirmed.

Doi Todd, Acting P.J., Ashmann-Gerst, J., Nott, J. (Assigned)

B182445 Tseng
v.
Alpert

Filed order granting motion to dismiss appeal. Appeal (notice of appeal filed March 29, 2005) dismissed.

DIVISION THREE

B169036 Barbro Taper and Brian Taper (Not for Publication)
v.
Louise Taper

The order of June 11, 2003 is reversed. The Matter is remanded for such further action as may be appropriate and consistent with the views expressed herein. Costs on appeal to Louise Taper.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION THREE (Continued)

B175334 Los Angeles County, D.C.S. (Not for Publication)
v.
Latrini T., et al.

The juvenile court order terminating parental rights is reversed and the matter is remanded for the DCFS to comply with ICWA notice requirements. If, after Indian entities receive proper notice under the ICWA, daughter and son are determined not to be Indian children and the ICWA does not apply, the juvenile court should reinstate the order terminating parental rights. Alternatively, after Indian entities receive proper notice under the ICWA, if daughter and son are determined to be Indian children and the ICWA applies to these proceedings, Mother is entitled to petition the juvenile court to invalidate orders which violated 25 United States Code sections 1911, 1912, and 1913. (See 25 U.S.C. sec. 1914 and Cal. Rules of Court, rule 1439 (n)(1).)

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B174514 Arthur Hanson (Not for Publication)
v.
Board of Civil Service Commissioners of the City of Los Angeles
City of Los Angeles and Margaret Whelan, etc

The judgment is affirmed. Respondent(s) to recover costs.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION THREE (Continued)

B177560 Brad Cofield, et al. (Not for Publication)
 v.
 Migueal A. Dilella, Sr., et al.

The order denying the motion to vacate the dismissal is reversed and the case remanded. Each party is to bear its own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

B175588 People (Not for Publication)
 v.
 Lopez

The judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B180401 Los Angeles Co., DCFS (Not for Publication)
 v.
 Jeanette R.

The appeal is dismissed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B175717 People v. Zuniga
B170416 People v. Medrano
B174165 People v. Koufos
B179722 DCFS v. Willie B. et al.

Argument waived, cause submitted.

B176817 Murat & Associates
 v.
 Des Roches

Merits:

Argued by Duke L. Peters for appellant and by Joseph M. Cobert for respondent. Cause submitted.

B173072 Marks et al.
 v.
 Southwest Door and Window of California

Merits:

Argued by H. James Keathley for appellants and by Darren W. Epps for respondent. Cause submitted.

B177146 Aral
 v.
 Earthlink, Inc.

Merits:

Argued by Christopher Robertson for appellant and by Lawrence R. Cagney for respondent. Cause submitted.

DIVISION FOUR (Continued)

B172825 Riley
 v.
 Hilton Hotels Corporation, et al.

Merits:
Argued by Eric A. Schreiber for appellant and by Mary O'Neill for
respondents. Cause submitted.

Court recessed.

Court reconvened at 1:30 P.M.

Present: Epstein, P.J., Hastings, J., Curry, J., Willhite, J. and S. Veverka, Deputy Clerk.

Each of the following:

B178811 People v. Cepeda
B173861 People v. Chew
B178452 DCFS v. Andre S.
B176379 Mora v. Kuhn et al.

Argument waived, cause submitted.

B155456 People
 v.
 Swain et al.

Merits:
Argued by Maxine Weksler for appellant Swain and by Richard T. Breen
for respondent. Appellant Stroud waived oral argument. Cause submitted.

B173162 Williams
 v.
 County of Los Angeles

Merits:
Argued by Nyanza Shaw for appellant and by Jeffrey M. Hausman for
respondent. Cause submitted.

DIVISION FOUR (Continued)

B173865 Daar & Newman
v.
VRL International

Merits:

Argued by David Daar for appellants and by Patrick M. Kelly for respondent. Cause submitted.

B172759 Gardner, et al.
v.
Mozena et al.

Merits:

Argued by Ralph Rogari for appellants, by Paul J. Shardlow for respondent Vasak and by Christopher P. Leye for respondent Mozena. Cause submitted.

Court adjourned.

B165868 Sabo
v.
Hennelly & Grossfeld et al.

Filed order denying petition for rehearing.

B170749 People
v.
Rosas

Filed order denying petition for rehearing.

May 12, 2005 (Continued)

DIVISION FIVE

B171371 Rilorio, Inc. (Not for Publication)
v.
Michael Tumanjan et al

We affirm the \$450,000 "out of pocket" damages award and reverse the \$103,750 liquidated damages award and the \$300,000 in "benefit-of-the-bargain" damages award. The parties are to bear their own costs on appeal.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J. (Assigned)

B175770 Milton Kramer
v.
Warren Kramer

Filed order denying petition for rehearing.

DIVISION SIX

Court convened at 1:30 P.M.

Present: Gilbert, P.J., Yegan, J., Coffee, J., Perren, J., P. McGill, Chief Deputy Clerk and G. Bents, Senior Deputy Clerk.

Each of the following:

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| B171519 | People v. Aguero |
| B171719 | People v. Khodabakhshian |
| B175050 | People v. Ambriz |
| B177442 | People v. Arnold |

Argument continued to June, 2005.

DIVISION SIX (Continued)

Each of the following:

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| B171491 | People v. Henderson |
| B173846 | People v. Calunga |
| B174886 | People v. Anderson |
| B174959 | People v. Edowski |
| B175098 | People v. Davalos |
| B175248 | People v. Rucker |
| B175970 | People v. Amason |
| B176191 | People v. Monroy |
| B176231 | People v. Sierra |
| B176307 | People v. Underwood |
| B178316 | People v. Solano |

Argument waived, cause submitted.

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| B174705 | People v. Garren |
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Merits:

Argued by Wayne C. Tobin for appellant and by Michael A. Katz, Deputy Attorney General, for respondent via video conference. Cause submitted.

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| B173917 | People v. Alexander |
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Merits:

Argued by Rudy G. Kraft for appellant and by Jack Newman, Deputy Attorney General, for respondent via video conference. Cause submitted.

DIVISION SIX (Continued)

B177426 People
 v.
 Thomas

Merits:
Argued by Christine C. Shaver for appellant and argument previously
waived by respondent. Cause submitted.

B178524 People
 v.
 Burroughs

Merits:
Argued by Richard B. Lennon for respondent. Argument previously
waived by appellant. Cause submitted.

B174586 People
 v.
 Vargas

Merits:
Argued by Larry S. Dushkes for appellant and by David F. Glassman,
Deputy Attorney General for respondent. Cause submitted.

B176741 In re Licher
 On
 Habeas Corpus

Merits:
Argued by J. Conrad Schroeder, Deputy Attorney General, for appellant
and by Megan Hagler for respondent. Cause submitted.

Perren, J. left the bench.

May 12, 2005 (Continued)

DIVISION SIX (Continued)

B177343 In re Jackson
On
Habeas Corpus

Merits:

Argued by J. Conrad Schroeder, Deputy Attorney General for appellant and by Daniel Mrotek appearing by leave of court, for respondent. Counsel for appellant acknowledges service of respondent's motion to dismiss. The court directed that respondent's counsel of record may serve and file a motion to dismiss regarding jurisdiction. Counsel for appellant shall serve and file any reply to the motion within fifteen (15) days from the date the motion is filed. Submission is deferred for thirty (30) days.

Court adjourned.

DIVISION SEVEN

B170577 People
v.
Rodriguez and Vasquez

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION EIGHT

B172250 People (Not for Publication)
v.
Calvin L.

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

May 12, 2005 (Continued)

DIVISION SIX (Continued)

B177362 People (Not for Publication)
v.
Tillet

The judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Flier, J.